

# UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
M078476

Total Pages in this Submission

## TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

Method and Topical Composition for the Treatment of Hyperpigmented Skin

and invented by:

Marta I. Rendon

08306 U.S. PTO  
10/624227

07/22/03

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

### Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 34 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☐ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

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**Application Elements (Continued)**

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*  
a. ☒ Formal      b. ☐ Informal      Number of Sheets 5
4. ☒ Oath or Declaration  
a. ☒ Newly executed *(original or copy)*      ☐ Unexecuted  
b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*  
c. ☒ With Power of Attorney      ☐ Without Power of Attorney  
d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☐ Genetic Sequence Submission *(if applicable, all must be included)*  
a. ☐ Paper Copy  
b. ☐ Computer Readable Copy  
c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

8. ☐ Assignment Papers *(cover sheet & documents)*
9. ☐ 37 CFR 3.73(b) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☒ Information Disclosure Statement/PTO-1449      ☒ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing  
☐ First Class      ☒ Express Mail *(Specify Label No.):* EV 228585872 US

08306 U.S. PTO  
10/624227  
07/22/03

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**Accompanying Application Parts (Continued)**

15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☒ Small Entity Statement(s) - Specify Number of Statements Submitted: 1
17. ☐ Additional Enclosures *(please identify below)*:

**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

***Warning***

***An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.***

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## Fee Calculation and Transmittal

### CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	20	- 20 =	0	x \$9.00	\$0.00
Indep. Claims	4	- 3 =	1	x \$42.00	\$42.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$375.00
OTHER FEE (specify purpose) 37 CFR 1.84 Petition					\$130.00
TOTAL FILING FEE					\$547.00

- ☒ A check in the amount of \$547.00 to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 50-1731 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: 7-21-03

Signature

Patricia E. McQueeney  
Reg. No. 49,083  
Becker & Poliak ff, P.A.  
3111 Stirling Road  
Fort Lauderdale, FL 33312  
(954) 364-6006

cc:

**Certificate of Mailing**

We hereby certify that this paper is being deposited with the United States Postal Service by U.S. Express Mail in an envelope addressed to Mail Stop NEW APP, Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date of Mailing of Document:

Name of person certifying mailing:

Express Mail Label No.: EV 228585872 US

Signature of person certifying mailing:

Date of Signing:

Practitioner's Docket No. M078476

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Marta I. Rendon

Application No.: TBD

Group No.: TBD

Filed: Herewith

Examiner: TBD

For: Method and Topical Composition for the Treatment of Hyperpigmented Skin

Assistant Commissioner for Patents

Washington, D.C. 20231

ATTENTION: Supervisory Patent Examiner, Group \_\_\_\_\_

(M.P.E.P., § 1002.02(d)(10))

**PETITION TO SUBMIT COLOR PHOTOGRAPHS**

**(37 C.F.R. § 1.84 AND M.P.E.P. § 608.02)**

Applicant hereby petitions to submit three color photographs as drawings for the above-captioned application. The color photographs are the only practicable medium to illustrate the claimed invention because the photographs illustrate the effects of present invention on skin tone.

**1. Accompanying material**

As required by 37 CFR 1.84 the three color photographs are submitted in triplicate.

07/24/2003 EFLORES 00000018 10624227

03 FC:1460

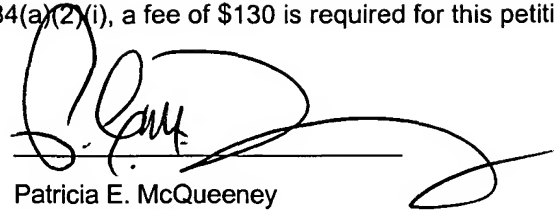
130.00 OP

**2. Fee**

In accordance with 37 C.F.R. §§ 1.17(h) and 1.84(a)(2)(i), a fee of \$130 is required for this petition and enclosed herewith.

7/21/03

Date

A handwritten signature in black ink, appearing to read 'Patricia E. McQueeney', is written over a horizontal line.

Patricia E. McQueeney  
Reg. No. 49,083  
Becker & Poliakoff, P.A.  
3111 Stirling Road  
Fort Lauderdale, FL 33312  
(800) 432-7712 x5306


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Marta I. Rendon  
Serial No.: TBD  
Filing Date: TBD  
For: METHOD AND TOPICAL COMPOSITION FOR THE  
TREATMENT OF HYPERPIGMENTED SKIN

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF EXPRESS MAIL**

I hereby certify that this correspondence is being deposited with the United States Postal Service by U.S. Express Mail, via Airbill No. EV 228585872 US, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 22<sup>nd</sup> day of July, 2003.

  
\_\_\_\_\_  
Serene E. Keen